

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
Zohar III, Corp., <i>et al.</i> ¹)	Case No. 18-10512 (KBO)
)	
Debtors.)	(Jointly Administered)
)	
ZOHAR CDO 2003-1, LIMITED; ZOHAR)	
II 2005-1, LIMITED; and ZOHAR III,)	
LIMITED,)	
)	
Plaintiffs,)	Adv. Proc. No. 20-50534 (KBO)
)	
v.)	
)	
PATRIARCH PARTNERS, LLC;)	
PATRIARCH PARTNERS VIII, LLC;)	
PATRIARCH PARTNERS XIV, LLC;)	
PATRIARCH PARTNERS XV, LLC;)	
PHOENIX VIII, LLC; OCTALUNA LLC;)	
OCTALUNA II LLC; OCTALUNA III,)	
LLC; ARK II CLO 2001-1, LLC; ARK)	
INVESTMENT PARTNERS II, LP; ARK)	
ANGELS VII, LLC; PATRIARCH)	
PARTNERS MANAGEMENT GROUP,)	
LLC; PATRIARCH PARTNERS AGENCY)	
SERVICES, LLC; and LYNN TILTON,)	
)	
Defendants.)	
)	

**ORDER GRANTING IN PART AND DENYING IN PART
DEFENDANTS' MOTION TO DISMISS AND DEFENDANTS' MOTION TO STRIKE
CERTAIN MATERIAL FROM THE AMENDED COMPLAINT**

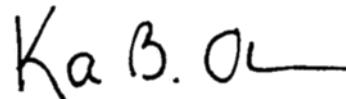
For the reasons set forth on the record on February 25, 2022, it is hereby **ORDERED** that

¹ The Debtors, and, where applicable, the last four digits of their taxpayer identification number are as follows: Zohar III, Corp. (9612), Zohar II 2005-1, Corp. (4059), Zohar CDO 2003-1, Corp. (3724), Zohar III, Limited (9261), Zohar II 2005-1, Limited (8297), and Zohar CDO 2003-1, Limited (5119). The Debtors' address is 3 Times Square, c/o FTI Consulting, Inc., New York, NY 10036.

the Defendants' Motion to Dismiss and Defendants' Motion to Strike Certain Material from the Amended Complaint [Adv. D.I. 131] (the “Motion”) is granted in part and denied in part as follows:

1. Plaintiffs' claims for fraudulent transfer in Counts 31 and 32 related to the PPMG Fees made by Stila are dismissed with prejudice.
2. All claims or counts that have been dismissed without leave to amend pursuant to this Court's prior *Memorandum Opinion* [Adv. D.I. 121] and *Order Granting in Part and Denying in Part Defendants' Motion to Dismiss the Complaint* [Adv. D.I. 122] are stricken from the First Amended Complaint.
3. Plaintiffs are directed to file an amended complaint in conformance with this Order within 14 days.
4. All other relief requested in the Motion is denied.

Dated: February 25, 2022



Karen B. Owens
United States Bankruptcy Judge